

Town Council Agenda September 12, 2011 Johnston Municipal Court Building

Council President Robert V. Russo will call the meeting to order at 7:00 PM.

Town Sergeant Stephen Mallane will lead with the Pledge of Allegiance

Please note: pursuant to Rule 3 Section E of the Town Council Rules, adopted by

Resolution 2011-1, the Council shall adjourn at 10:30 p.m. and any unfinished business shall be carried to the fourth Monday of the month or to a date agreed upon by the Council.

Roll Call

District 1 – Councilwoman Eileen Fuoco

District 2 – Councilman Ernest F. Pitochelli

District 3 – Councilman David J. Santilli

District 4 – Council President Robert V. Russo

District 5 – Council Vice President Stephanie P. Manzi

Award & Recognition Ceremonies-

Status on Public Hearings -

Ordinance 2010-21 An Ordinance adding Article XX to Chapter 340 of the Town of Johnston Code of Ordinances entitled Zoning. Said Ordinance sets guidelines pertaining to Wireless Telecommunication Towers & Antennas

Pending Planning Board Advisory Opinion

2010-CP-210 Petition to purchase vacant land on Downing Street known as Assessor's Plat 9, Lot 328 submitted by Attorney Timothy Dodd on behalf of Guiseppi Palliotta

Pending Planning Board Advisory Opinion

2011-CP-135 Petition from Nicholas Acquaviva of 12 Milton St to purchase land from the Town known as Assessor's Plat 11, Lot 367

Pending Planning Board Advisory Opinion

Ordinances to be Read-

Ordinance 2011-17 An Ordinance amending Section 27-10 of the Town of Johnston Code of Ordinances. Said Ordinance proposes amendments regarding physical requirements for appointment to the Fire Department.

Ordinance 2011-18 An Ordinance amending Section 27-11 of the Town of Johnston Code of Ordinances. Said Ordinance proposes

guidelines for appointments to the Fire Department

Ordinance 2011-19 An Ordinance amending Section 51-7 of the Town of Johnston Code of Ordinances. Said Ordinance proposes amendments to the general guidelines for appointments or promotions in the Police Department

Ordinance 2011-20 An Ordinance amending Section 51-12 of the Town of Johnston Code of Ordinances. Said Ordinance proposes amendments to the selection process regarding the Police Department

Ordinance 2011-21 An Ordinance amending Section 47-27 of the Town of Johnston Code of Ordinances. Said Ordinance proposes amendments to the general guidelines for the listing and ranking of employment candidates

Ordinance 2011-22 An Ordinance amending Chapter 118 of the Town of Johnston Code of Ordinances. Said Ordinance proposes to adopt the Building Code of the State of Rhode Island

Ordinance 2011-23 An Ordinance amending Section 316-14 of the Town of Johnston Code of Ordinances. Said Ordinance amends the guidelines regarding removal from the Tow List

Ordinance 2011-24 An Ordinance amending Article II of Chapter 47 of

the Town of Johnston Code of Ordinances Entitled “Personnel Rules and Regulations”. Said Ordinance proposes the adoption of the provisions according to RIGL 28-54-1 requiring that retirees enroll in Medicare as soon as eligible

Licenses

2011-CP-167 Elite Family & Promotional Solutions/ Location: 9 Bigelow Rd.

**Business Operating License – Phone Calls Only
Internet sales-no foot traffic**

2011-CP-168 Cutting Edge Fitness Systems/ Location: 25 Lee St.

**Business Operating License – Phone Calls Only
Mobile Personal Training Services**

2011-CP-169 Freedom Technology Solutions, Inc. d/b/a Freedom Tech, Inc./ Location: 920 Hartford Ave.

**Business Operating License –
Outsource Computer Support**

2011-CP-170 Karen Wright d/b/a Forever Health Shop/ Location: 121 Peck Hill Rd.

**Business Operating License – Phone Calls Only
Herbalife Distributor**

**2011-CP-171 Brouwer Investigation Services/ Location: 5 Steere Dr.
Private Detective License –
Detective services**

**2011-CP-172 The Shop/ Location: 1555 Plainfield St.
Business Operating License – Change of Location
Barber Shop**

**2011-CP-173 JJ Group, Inc. d/b/a Kon Asian Bistro/ Location: 1386
Atwood Avenue
Restaurant License –
Holiday Sales-
Fine Dining Asian Restaurant**

Liquor Licensing Commission-

**2011-L-10 JJ Group, Inc. d/b/a Kon Asian Bistro/ Location: 1386
Atwood Ave.
Class BV Full Liquor License –
Fine Dining Asian Restaurant**

Constituent Requests-

Unfinished Business-

Resolution 2011-27 Resolution regarding an employment contract between Joseph L Tedino, Clerk of the Municipal Court and the Town of Johnston

Continued from August 9, 2011

New Business-

Resolution 2011-38 Resolution authorizing the Mayor to enter into an agreement between J.R. Vinagro Corp and the Town For upgrades to the water infrastructure for a Sewer Booster Pump Station for Shun Pike

2011-CP-174 Correspondence from the Police Department regarding a traffic study recommending that a Stop Sign be installed in front of 28 Buchanan Street to control speeding in the area

2011-CP-175 Application submitted by Attorney David M. D'agostino on behalf of the Town of Scituate to the Johnston Planning Board requesting drainage easements related to DEM File # WP 99-110-Town of Scituate Notice of Violation; Crestview Drive, Johnston

2011-CP-176 Correspondence from the Rhode Island DEM regarding its enforcement of The Rhode Island Cesspool Act of 2007

2011-CP-183 Appointment to the Johnston Housing Authority to fill a position on the board to replace Cynthia Izzo as she is not seeking re-appointment after her term expires on September 30, 2011

Abatements

2011-TO-9 Tax Assessor Abatements – September, 2011

Public Hearings for Ordinances-

Ordinance 2011-16

(Formerly 2011-CP-118) Petition from Attorney William Landry on behalf of Briarcliffe Realty Two, LLC & Geriatric Centers of North America Realty Corp for an amendment to the Zoning Map changing the zoning on Assessor's Plat 44-4, Lots 68 & 306 from an R-40 zone to a Planned District/ Continuing Care Retirement Community

2011-CP-72

(Formerly

**Ordinance 2011-2) Proposed amendments to the Town of Johnston Comprehensive Plan pertaining to Conservation Development
Continued from August 9, 2011 meeting**

Ordinance 2011-3 An Ordinance amending the Town of Johnston Code of Ordinances entitled "Zoning" Said ordinance proposes amendments pertaining to Conservation Development

Continued from August 9, 2011 meeting

Ordinance 2011-11 An Ordinance amending Section 2 of Chapter 129 of the Johnston Code of Ordinances entitled "Car Sales & Rental" Said ordinance would increase the number of New Car Licenses issued by the Town to ten

Ordinance 2011-12 An Ordinance amending Section 279-14 of the Johnston Code of Ordinances. Said Ordinance amends the fees to the chapter regarding sewers

Ordinance 2011-13 An Ordinance amending Section 279-2 of the Johnston Code of Ordinances. Said Ordinance amends the "Definitions" to the chapter regarding sewers

Ordinance 2011-14 An Ordinance amending Exhibit A of Chapter 279 of the Johnston Code of Ordinances. Said Ordinance sets provisions for Sewer Maintenance Charges

Ordinance 2011-15 An Ordinance amending Section 279-10 of the Johnston Code of Ordinances. Said Ordinance amends the section regarding sewer use charges

Approval of the minutes and transcripts from previous meetings

Transcripts Prepared by the Stenographer

April 11, 2011 Regular Meeting

May 9, 2011 Regular, Special Meeting & Executive Session

Minutes prepared by the Town Clerk:

August 9, 2011 Regular meeting, Special meeting & Executive Session

Claims-

2011-CP-177 Claim from Carolyn Cancelliri for a tire repair

2011-CP-178 Claim from Attorney Arthur E. Chatfield III on behalf of Frank Gracie for injuries suffered

2011-CP-179 Claim from David M. Gesualdi for damage to his vehicle

2011-CP-180 Claim from Lisa J. Santagata for damage to her vehicle

2011-CP-181 Claim from Raymond Pezzullo, Jr. , Esq. for damage to his home caused by a sewer backup

Requests to be heard-

Please note: pursuant to Resolution 2005-1 of the Johnston Town Council, any person requesting to address the Council shall be heard for a maximum of 10 minutes. This will be strictly enforced.

2011-CP-182 Robert Joyce to discuss the Benda Drive Speed Bump

Adjournment

Attest:

Vincent P. Baccari, Jr.

Town Clerk